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09/774,654	02/01/2001	Noriko Baba	WN-2288	8321

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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 07/08/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/774,654

Applicant(s)

BABA, NORIKO

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the certificate with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10 and 12-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10 and 12-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment A, filed on 4/9/03. This action is made final. Claims 2 and 11 are cancelled. Claims 1, 3-10 and 12-19 are pending.

#### ***Response to Arguments***

2. Applicant's arguments filed on 4/9/03 have been fully considered but they are not persuasive.

As per applicant's arguments regarding "Ishimaru and Porter are not fairly combinable ... Evidence of the separateness of the references is seen from the different classifications for each: Ishimaru (issued 2002) U.S. Cl. 707/529; Porter (issued 1993) U.S. Cl. 395/600" have been considered but are not persuasive.

The current class of Porter is 707/3. Since both Ishimaru and Porter references are related to store and retrieve data, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ishimaru and Porter in order to improve the efficiency of searching (Porter, col. 1, line 50).

Ishimaru discloses an electronic manual search system including a reference number table which stores a reference number expressing how many times the part is referred to by a user (Ishimaru, Fig. 2 & 10, col. 9, lines 44-67). The reference number shows the frequency and the likelihood of each part of the electronic manual is retrieved by a user. If the electronic manual is unsorted, the most popular part of the electronic manual can be anywhere within. In the worst case, the most popular part will be at the end of the electronic manual. Then N

comparisons are needed to retrieve the most popular part of the electronic manual, N is the size of the table or list.

Porter discloses the method of searching an ordered table (Porter, col. 1, lines 47-50). If the electronic manual is sorted according to its reference number, then those more likely to be retrieved part will be at the beginning of the electronic manual, therefore, dramatically reducing retrieval time. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Porter, Jr. with Ishimaru in order to improve the efficiency of searching.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-10 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishimaru (6,427,155) in view of Porter, Jr. et al. ("Porter, Jr.", 5,263,160).

As per claim 17, Ishimaru discloses a recording medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform a method of searching an electronic manual which is composed of a plurality of parts, the method comprising the step of:

storing, for each part, a reference number expressing how many times the part is referred to by a user (Ishimaru, Fig. 2 & 10, col. 9, lines 44-67, "provides an electronic dictionary that

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can inform users of the number of times a search has been performed”. According to the specification, electronic dictionary can be referred to as “electronic manual”, page 2, 2<sup>nd</sup> paragraph); and

searching contents of the parts for topics satisfying a search (Ishimaru, Fig. 2).

Ishimaru does not explicitly disclose searching based on the order of reference number. Porter, Jr. discloses searching based on the order of record key (Porter, Jr., col. 1, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Porter, Jr. with Ishimaru in order to improve the efficiency of searching (Porter, Jr., col. 1, lines 47-50).

As per claim 1, Ishimaru discloses an electronic manual search system including an electronic manual which is composed of a plurality of parts, the system comprising:

a reference number table which stores, for each part of the electronic manual, a reference number expressing how many times the part is referred to by a user (Ishimaru, Fig. 2 & 10, col. 9, lines 44-67, “provides an electronic dictionary that can inform users of the number of times a search has been performed”. According to the specification, electronic dictionary can be referred to as “electronic manual”, page 2, 2<sup>nd</sup> paragraph);

a search process unit which searches contents of the parts based on a search condition (Ishimaru, Fig. 2);

a search result display unit which displays parts which resulted from the search process unit, in order based on the reference number (Ishimaru, col. 7, lines 64-65, “the words would be displayed on screen, sorted by search frequency in ascending or descending order”).

Ishimaru doesn't disclose the search process unit searches contents of each part in order based on the reference number. Porter, Jr. discloses searching based on the order of record key (Porter, Jr., col. 1, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Porter, Jr. with Ishimaru in order to improve the efficiency of searching (Porter, Jr., col. 1, lines 47-50).

Regarding to claim 3, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose a reference number update unit which increments by one the reference number of a part when the user selects and/or refers to the part among parts which are displayed by the search result display unit (Ishimaru, Fig. 2, S7, "Increment the Mark Number", col. 7, lines 1-5).

Regarding to claim 4, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose a reference number update unit which increments by one the reference number of a part displayed immediately before the user stops displaying of the search results (Ishimaru, Fig. 2, S7, "Increment the Mark Number", col. 7, lines 1-5).

Regarding to claim 5, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose the order of displaying the searched parts is a descending order of the reference number of the parts (Ishimaru, col. 7, lines 64-65).

Regarding to claim 6, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose the order of searching the parts is a descending order of the reference number of the parts (Porter, Jr. col. 1, lines 47-50).

Regarding to claim 7, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose the reference number table is incorporated into the electronic manual (Ishimaru, Fig. 10, col. 7, lines 6-10).

Regarding to claim 8, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 1, and further disclose the reference number table stores the reference number for each attribute of the user (Ishimaru, Fig. 10).

Regarding to claim 9, Ishimaru discloses an electronic manual search system including an electronic manual which is composed of a plurality of parts, the system comprising:

a reference number table which stores, for each part of the electronic manual, reference number expressing the number of times the part is referred to by a user (Ishimaru, Fig. 2 & 10, col. 9, lines 44-67, "provides an electronic dictionary that can inform users of the number of times a search has been performed". According to the specification, electronic dictionary can be referred to as "electronic manual", page 2, 2<sup>nd</sup> paragraph); and

a search process unit which searches contents of the parts for topics satisfying a search condition (Ishimaru, Fig. 2).

Ishimaru does not explicitly disclose searching based on the order of reference number. Porter, Jr. discloses searching based on the order of record key (Porter, Jr., col. 1, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Porter, Jr. with Ishimaru in order to improve the efficiency of searching (Porter, Jr., col. 1, lines 47-50).

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Claim 10 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 12 is rejected on grounds corresponding to the reasons given above for claim 5.

Claim 13 is rejected on grounds corresponding to the reasons given above for claim 6.

As per claim 14, Ishimaru discloses a recording medium readable by a computer, tangibly embodying an electronic manual comprising:

a plurality of parts; and a reference number of each part, the reference number representing how many times the corresponding topic is referred to as searched results (Ishimaru, Fig. 2 & 10, col. 9, lines 44-67, "provides an electronic dictionary that can inform users of the number of times a search has been performed").

Ishimaru doesn't disclose the search process unit searches contents of each part in order based on the reference number. Porter, Jr. discloses searching based on the order of record key (Porter, Jr., col. 1, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Porter, Jr. with Ishimaru in order to improve the efficiency of searching (Porter, Jr., col. 1, lines 47-50).

As per claim 15, Ishimaru and Porter, Jr. teach all the claimed subject matters as discussed in claim 14, and further disclose the reference number is stored for each attribute of a user who refers to the part as searched results (Ishimaru, col. 2, lines 31-32).

Claims 16 and 18-19 are rejected on grounds corresponding to the reasons given above for claim 1.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

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CC

June 30, 2003

*SA Alam*  
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PATENT EXAMINER